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1 UNITED STATES DISTRICT COURT

2 DISTRICT OF MINNESOTA

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5 In Re: Bair Hugger Forced Air) File No. 15-MD-2666
6 Warming Devices Products) (JNE/FLN)
7 Liability Litigation)
8) October 24, 2017
9) Minneapolis, Minnesota
10) Courtroom 12W
11) 9:04 a.m.
12)
13)
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10 BEFORE THE HONORABLE JOAN N. ERICKSEN
11 UNITED STATES DISTRICT COURT JUDGE

12 THE HONORABLE FRANKLIN L. NOEL
13 UNITED STATES MAGISTRATE JUDGE

14 THE HONORABLE WILLIAM H. LEARY
15 RAMSEY COUNTY DISTRICT COURT JUDGE

16 **(MOTIONS HEARING- VOLUME I)**17 APPEARANCES18 FOR THE PLAINTIFFS:

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P R O C E E D I N G S

(9:04 a.m.)

THE COURT: You have to forgive Patrick. He just found out this morning that he passed the bar, so we're the least of his worries.

Welcome. And let's just get right to it. Why don't we start with the opening statements. Defendant?

JUDGE LEARY: Judge Ericksen, if I could just clarify for the record that it is the understanding and the agreement that this is a joint session of the United States District Court as well as Ramsey County District Court Second Judicial District. If there's any -- if I'm wrong in that regard, somebody needs to speak up.

MS. ZIMMERMAN: No, Your Honor, we agree.

MR. BLACKWELL: Your Honor, you are right in that regard.

JUDGE LEARY: Okay. Thank you.

THE COURT: And I agree. Thanks very much.
Mr. Blackwell, ready to hear from you.

MR. BLACKWELL: Thank you, Your Honor.

Good morning, Your Honors, counsel. Your Honors, the Seventh Circuit perhaps said it best and as well as *In Re Bausch & Lomb* MDL court, the courtroom is not the forum to advance new scientific theories, noting that "the courtroom is not the place for scientific guesswork, even of